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IMMEDIATE RELEASE

No. 124-06
February 9, 2006

Guantanamo Bay Detainee Administrative Review Board Decisions Completed

The Department of Defense announced today the completion of the first round of Administrative Review Board (ARB) decisions. All of the hearings for this first round were conducted from Dec. 14, 2004, to Dec. 23, 2005. Deputy Secretary of Defense Gordon R. England, the Designated Civilian Official (DCO) for the ARB process, has made final decisions on all 463 board recommendations; these decisions consist of 14 releases (3 percent), 120 transfers (26 percent) and 329 continue to detain (71 percent).

The ARB is a review process conducted annually to determine whether each detainee should be released, transferred or further detained. The outcome is based primarily on threat assessment and intelligence value of each detainee. This is a discretionary and unprecedented process that is not required by the Geneva Convention or by U.S. or international law.

During the review, each eligible enemy combatant is given the opportunity to appear in person before an ARB panel of three military officers and provide information to support his release. The enemy combatant is provided a military officer to assist him throughout the ARB process. In advance of the ARB hearing, information bearing on this assessment is also solicited from DoD and other U.S. government agencies, and from the family and national government of the enemy combatant, through the Department of State. Based on all the information provided, the ARB makes a recommendation to the DCO who makes the final decision whether to release, transfer or continue to detain the individual. If the DCO determines that continued detention is warranted, the enemy combatant will remain in DoD control, and a new review date will be scheduled to ensure an annual review.

The review process is managed by the Office for the Administrative Review of the Detention of Enemy Combatants, headed by Rear Adm. James M. McGarrah.

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